## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: K

KUZ-0021

Inventors:

Suzuki et al.

Patent No.:

7,754,236

Issue Date:

July 13, 2010

Serial No.:

10/517,468

Filing Date:

December 6, 2004

Examiner:

Palenik, Jeffrey T.

Customer No.:

26259

Group Art Unit:

1615

Confirmation No.:

1362

Title:

Patch with Improved Anchoring

Properties between a Substrate and

an Adhesive

Electronically Submitted via EFS-Web Date: August 24, 2010

I hereby certify that this paper is being electronically submitted on the date indicated above to the Commissioner for Patents, U.S. Patent &

Trademark Office.

Typed Name: Kathleen A. Tyrrell, Reg. No. 38,350

Commissioner for Patents

U.S. Patent & Trademark Office

Dear Sir:

## Application for Patent Term Adjustment Determination under 37 C.F.R. 1.705(d)

Request is hereby made for reconsideration of the Patent Term Adjustment of 1476 days as this calculation

Attorney Docket No.: KUZ-0021

Inventors: Suzuki et al. Serial No.: 10/517,468

Filing Date: December 6, 2004

Page 2

fails to take into consideration the "one day term extension . . . for every day greater than three years after the filing date that it takes for the patent to issue, regardless of whether the fault is the PTO" (see 35 U.S.C. § 154 (b)(1)(B)).

It appears that the calculation of three-year pendency was incorrectly based upon the date of December 7, 2004 rather than the correct date of December 6, 2004 on which the national stage commenced under 35 U.S.C. § 371 (b) or (f). See 1347 OG 50.

Further, it appears that the 36 month patent term adjustment may be short by 35 days. Recalculation of the patent term adjustment is therefore respectfully requested.

This patent is not subject to a terminal disclaimer.

Nor was a Request for Continued Examination filed during prosecution of this patent.

As the patent term adjustment based upon three-year pendency is not calculated in the notice allowance, this Request under 37 C.F.R. 1.705(d) for recalculation of the patent term adjustment is believed timely.

Attorney Docket No.:

KUZ-0021

Inventors:
Serial No.:

Suzuki et al. 10/517,468

Filing Date:

December 6, 2004

Page 3

A fee in accordance with 37 C.F.R. 1.18(e) is provided herewith.

Respectfully submitted,

Kathleen A. Tyrrell

Reg. No. 38,350

Date: August 24, 2010

LICATA & TYRRELL P.C. 66 E. Main Street Marlton, New Jersey 08053 ktyrrell@licataandtyrrell.com (856) 810-1515